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4-16-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Busse *et al.*

Appl. No. 09/675,650

Filed: September 29, 2000

For: **PCA3 Messenger RNA Species in
Benign and Malignant Prostate
Tissues**

Confirmation No. 1706

Art Unit: 1642

Examiner: Davis, Natalie A.

Atty. Docket: 1619.0080001/SRL/AGU

**Notice of Appeal From the Examiner to the Board
of Patent Appeals and Interferences - Small Entity**

Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

APR 15 2003

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Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final decision of the Examiner dated **October 16, 2002**, in which claims 3, 24 and 27 were finally rejected.

The fee (for a small entity) for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our PTO-2038 Credit Card Payment Form. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

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Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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